

GRANT F. LANGLEY

City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE RUTLEDGE
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
PETER J. BLOCK
NICHOLAS P. DESIATO
Assistant City Attorneys

March 25, 2013

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Communication from JUANITA RATZ
C.I. File No. 1029-2013-827

Dear Council Members:

Claimant, Juanita Ratz, 201 South 1st Street, Waterford, WI 53185 alleges through Wisconsin Mutual Insurance Company, by its representative Dominic Ladd, P.O. Box 201, Menomonee Falls, WI 53052, as subrogee, that on January 31, 2013 at 5:54 p.m., they sustained damages when a vehicle ran over a loose City manhole cover near North 25th Street and West Mt. Vernon Avenue, which flipped up and struck her vehicle. They claim damages in the amount of \$9,617.88.

Our investigation reveals that Infrastructure Services Division records indicate that on January 31, 2013 at 6:15 p.m. Sewer Maintenance received a complaint of a loose or missing manhole lid at 400 North 25th Street. They responded that day after 7:00 p.m. and all lids appeared secure. On March 18, 2013, after receipt of this claim, an investigator was sent to check the area again and found a WE Energies shaft manhole with a loose lid. They notified WE Energies.

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There is no evidence that the City was negligent in this matter. As such, the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

PATRICIA A. FRICKER
Assistant City Attorney

PAF:cdr

Enclosure

1029-2013-827/190553